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(2)

Supreme Court, U.S.
FILED
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OFFICE OF THE CLERK

No. 08-647

In The
Supreme Court of the United States

Paul S. Silvas,

Petitioner,

Vs.

Remington Oil and Gas Corporation,

Respondent.

On Petition For Writ of Certiorari
To the United States Court of Appeals
for the Fifth Circuit

SUPPLEMENTAL BRIEF

Paul S. Silvas
In Pro Se
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QUESTION PRESENTED FOR REVIEW

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Whether, in a case of miscarriage of justice as this is, should Remington be required to respond to the Petition for Writ of Certiorari ?

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ARGUMENT

This case is basically one of a miscarriage of justice and, as such, should not deprive respondent (Remington) of responding to Silvas's Petition for Writ of Certiorari because counsel of record is not a member of the Court.

Silvas after being informed by the Deputy Clerk of Court that Waiver from Remington had not been received, faxed his copy to the Court, December 16, 2008. It should be note the Counsel of Record stated that he was not a member of the Court. See Appendix A-1,2

It is Silvas's belief that in case of miscarriage of justice that all parties should be heard. That counsel of record should be ordered to respond or in the alternative, order Remington to hire counsel who is a member of the court. See, Rules of the Supreme Court of the United States: Rule 15 (1)(2) which states at p.13,14 the following:

> " 1. A brief in opposition to a petition for a writ of certiorari my be filed by the respondent in any case, . . . or when ordered by the court."
>
> " 2. . . . . Counsel are admonished that they have an obligation to the Court to point out in the brief in opposition, . . ., any

perceived misstatement made in the petition."

CONCLUSION

Wherefore, Silvas prays that in fairness and justice the Court order counsel of record to respond to the Petition for Writ of Certiorari and/or in the alternative, Remington to hire counsel who is a member of the Court to respond.

Respectfully Submitted

Paul S. Silvas
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APPENDIX -A

WAIVER

Supreme Court of the United States

No. 08-647

Paul S. Silvas v. Remington Oil and Gas Corporation

(Petitioner) (Respondent)

I DO NOT INTEND TO FILE A RESPONSE to the petition for a writ of cetiorari unless one is requessed by the Court.

Please check one of the following boxes:

(x) Please enter my appearance as Counsel of Record for all respondents,

□ There are multiple respondents, and I do not represent all respondents. Please enter my appearance as Counsel of Record for the following respondent(s)

I certify that I am *(not)* a member of the Bar of the Supreme Court of the United States (Please explain name change since bar admission): *(inserted by Remington's counsel of record)*

Signature /s/ Richard A. Goins - NOT A

MEMBER OF THE SUPREME COURT BAR

Date: 112/5/08

(Type or print) Name Richard A. Goins
(X) Mr. □ Ms. □ Mrs. □Miss

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SEND A COPY OF THIS FORM TO PETITIONER'S COUNSEL OR TO PETITIONER IF *PRO SE*. PLEASE INDICATE BELOW THE NAME(S) OF THE RECIPIENT(S) OF A COPY OF THIS FORM. NO ADDITIONAL CERTIFICATE OF SERVICE IS REQUIRED.

Cc: Mr. Paul S. Silvas
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Pearlington, MS 39572
228 - 533 - 9249

Obtain status of the case on the docket. By phone at 202 - 479 - 3034 or the internet at

http://www.supremecourtus.gov. Have the Supreme Court docket number available.